

REMARKS

This Response is submitted in response to the non-final Office Action dated December June 1, 2007. Claims 1 and 7-9 have been amended. No new matter is added.

35 USC §103(a) Rejections

The Office Action rejects Claims 1-14 under 35 USC §103(a) as being unpatentable over Yacobi (US Patent No. 5,878,138) in view of Boss (US Publication No. 2004/0267820). Applicants respectfully submit that Claims 1 and 7-9 have been amended to traverse such rejections.

Claim 1 now reads in part, “fourth recording means for recording proxy transactions where the fourth recording means records and completes transactions executed by the first business entity and associated with the second business entity without being in active communication with the second business entity, and where the fourth recording means communicates with the second business entity at a predetermined interval.” Claims 7-9 contain similar language.

The amendments are fully supported by the specification. For example, see the specification on page 45 lines 18-21 describing how the manager/acquirer serves as a proxy loader, stating “[t]he issuer 2-1, however, is not connected to the Internet 11, so that it asks the acquirer/brand holder 1 to perform **proxy loading**.” (emphasis added). See also, the specification on page 34 lines 23-25, stating “[t]he accounting server records the information regarding the proxy loading in a proxy loading DB 148, and performs settlement with the associated issuer 2-1, at a predetermined interval.” The specification provides for the manager/acquirer serving as a proxy as well as a proxy loading database used to store those transactions.

The ability for a separate device to perform proxy loading is beneficial in that it allows for fewer connections with the second business entity. Additionally, a constant connection between the recording means and the second business entity is unnecessary.

The reference Boss does not disclose or suggest a proxy device that servers to execute transactions on behalf of a second business entity as is claimed and fully disclosed by the specification. In contrast, the reference Boss discloses a proxy that, in essence, monitors

transactions while forwarding them on from browser to website. For example, see Boss in paragraph 5 stating, "The recorder object relays communications between the client and the Internet substantially unaltered." Therefore, the recorder in Boss does not execute or complete the transactions as is claimed and fully supported by the specification.

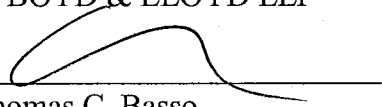
For at least the foregoing reasons, Applicants respectfully submit that Claims 1 and 7-9 and Claims 2-6 and 10-14 that depend therefrom, are patentably distinguishable and in condition for allowance.

The Commissioner is hereby authorized to charge deposit account 02-1818 for any fees which are due and owing.

Respectfully submitted,

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